

## **REMARKS/ARGUMENTS**

This communication is in response to the Non-Final Office Action dated May 12, 2009. Claims 7 and 12 have been canceled, without prejudice. Claims 1-6, 8-11, 13 and 14 have been amended. New claims 15 and 16 have been added. No new matter has been added. Claims 1-6, 8-11 and 13-16 remain pending in this application with claims 1, 9 and 13 being the only independent claims. Reconsideration in view of the amendments to the claims and arguments presented herein is requested.

### **Claim Objections**

Claims 1, 3-5 and 7-14 are objected to for various reasons. Applicants have amended these claims to overcome the outstanding objections. Withdrawal of the claims objections in view of the amendments is therefore requested.

### **Claim Rejections Under 35 U.S.C. §112, Second Paragraph**

Claims 2, 4, 5 and 7-12 are rejected under 35 U.S.C. §112, second paragraph, for lack of antecedent basis. These claims have been amended to provide proper antecedent basis for the terms in question. Withdrawal of the rejection under 35 U.S.C. §112, second paragraph, in view of the amendments to the claims is therefore requested.

### **Prior Art Claim Rejections**

Claims 1, 3-5, 7, 9 and 12-14 are rejected under 35 U.S.C. §102(b) as anticipated by US Patent No. 6,138,011 (Sanders, III et al.).

Claims 2 and 6 are rejected under 35 U.S.C. §103(a) as obvious over Sanders, III et al. in view of US Patent Publication No. 2003/0109269 (Laumen et al.).

Claim 8 is rejected under 35 U.S.C. §103(a) as obvious over Sanders, III et al. in view of the publication entitled "3GPP TS 43.068 'Voice Group Call Service (VGCS); Stage 2.'"

Claim 11 is rejected under 35 U.S.C. §103(a) as obvious over Saunders, III et al. in view of US Patent Publication No. 2003/0003953 (Houplain).

Applicants respectfully traverse the outstanding prior art rejections for at least the reasons discussed below.

### **Independent Claims 1 & 13**

Claim 1, as amended, specifies “wherein the Voice Group Call reference represents a concatenated sequence of a group identification (ID) and a group call area identification (ID).” (emphasis added)

In rejecting the claimed invention the Examiner asserts that the claimed “Voice Group Call reference” is taught by Sanders, III et al. (Col. 2, ll. 55-63). This text reads “Upon receiving the call request, the dispatch controller retrieves dispatch-related information from a database coupled to the dispatch controller based on either the originating device’s ID or the target address. The dispatch-related information includes a talk group affiliation for the originating communication device. Based on the retrieved dispatch-related information, the dispatch controller identifies a group of target communication devices for the dispatch call.” (emphasis added) Nothing discloses or suggest that the “dispatch-related information” includes “group call area identification.”

Sanders, III et al. further discloses (Col. 3, ll. 43-48) that “The database 105 preferably comprises memory embodied in a disk and includes dispatch related information, such as talk group affiliations, dispatch-based target addressing translation, and dispatch service subscription information, such as supplementary services associated with dispatch, for the communication devices 107-111 in the system 100.” Once again, there is no teaching or suggestion that information includes “group call area identification.”

Independent apparatus claim 13 is a similar to its claim 1 method counterpart and thus patentable over the prior art of record for at least the same reasons.

### **Dependent Claims 8 & 16**

Claim 8 states “if the current talker is sending the SM and during the sending the talker intends to end his speaking, a Mobile Station (MS) will hold uplink until the SM is sent completely to the network.” (emphasis added) In rejecting claim 8 the Examiner maintains that this limitation is taught by sections 4.2.2.1 and 11.5 of the publication entitled “3GPP TS 43.068 ‘Voice Group Call Service (VGCS); Stage 2.’” In particular, the Examiner states that these sections of the publication disclose “a voice group call with an uplink that that [sic] is only accessible by one user at any one time and it is release [sic] only upon reception of an uplink release message at the anchor mobile switching center from a base station controller. Thus, the current talker has exclusive access to the uplink channel while communicating to the network and the other target devices on the voice group call must wait for the uplink to become free.” {May 12, 2009 Non-Final Office Action: p. 10, ll. 9-13} Even assuming, *arguendo*, that the publication teaches that the current talker has exclusive access to the network while other devices in the voice group call must wait for the uplink to become free, this fails to disclose or suggest that the uplink be held until the SM is sent completely to the network, as found in claim 8. If the uplink were not held, then it would become free thereby terminating the current talker’s access to the network and since the unlink was free it could be accessed by other voice group call devices. The publication fails to expressly disclose nor can it be inferred therefrom that the uplink is held until the SM is sent completely to the network.

Method claim 16 contains similar limitations to those discussed above with respect to claim 8 and thus is patentable over the prior art of record for at least the same reasons.

### **Independent Claim 9 & Dependent Claim 15**

Independent claim 9, as rewritten in independent form, states “wherein a Short Message Entity (SME) in the network requests a short message Service Center to send the SM to members of the VGC, the SC interrogates a Group Call Register in order to retrieve routing information of an Anchor - Mobile Switching Center (Anchor-MSC) for this VGC, the SC forwards the SM to the appointed Anchor-MSC for this VGC, the Anchor-MSC itself forwards the SM to all base

station subsystems (BSS) partaking in the VGC and in addition to all Relay – Mobile Switching Centers (Relay-MSCs), the Relay-MSCs send the SM to all respective BSS for this VGC, which transmit it to the listeners.” (emphasis added)

Sanders, III et al. fails to disclose or suggest that “the SC interrogates the Group Call Register in order to retrieve routing information on an Anchor – Mobile Switching Center (Anchor – MSC) for this VCG.” To the contrary, Sanders, III et al. discloses (Col. 7, ll. 10-24) that the call request and the short message from the originating communication device is received by MSC 118 and forwarded to SMS processor 120 which, in turn, forwards the call request and short message to the dispatch controller 103 so as to establish communication links between itself and the target devices 107-110 of the originating communication device’s talk group. In rejecting claim 9, the Examiner asserts that SMS processor 120 reads on the claimed “short message Service Center (SC)” while dispatch controller 103 reads on the claimed “Anchor – MSC.” In Sanders, III et al. every call request and short message, irrespective of the particular Voice Call Group, is sent from the SMS processor 120 to the dispatch controller 103. Accordingly, Sanders, III et al. fails to disclose or suggest that SMS processor 120 interrogates a Group Call Register in order to retrieve routing information on the dispatch controller 103, as called for in claim 9. Such routing information to the dispatch controller 103 would be unnecessary since every call request and short message is routed from the SMS processor 120 to the dispatch controller 103, thus there is no need to obtain routing information to the dispatch controller for a particular Voice Group Call.

Dependent apparatus claim 15 is a similar to its claim 9 method counterpart and thus patentable over the prior art of record for at least the same reasons.

For at least the foregoing reasons Applicants submit that claims 1-6, 8-11 and 13-16 are patentable over the prior art of record and passage of the application to issuance is therefore requested.


**CONDITIONAL PETITION FOR EXTENSION OF TIME**

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Assistant Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

**ADDITIONAL FEE**

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,  
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